

REMARKS

Status of Claims

Claims 1 has been amended.

Claims 5-15 have been canceled.

Claims 17-20 are withdrawn.

Claims 1-4 and 16 are now pending for the Examiner's consideration.

Amendments to the Claims

Solely in order to expedite prosecution of the present application, Applicant has canceled claim 5 and amended Claim 1 to include colon, breast cancer, or combinations thereof.

Support for amendment of Claim 1 can be found, for example, in Claim 9 of the originally-filed specification. No new matter is added by the way of this amendment. Neither amendment of Claim 1, nor cancellation of Claim 5 constitutes any admission regarding the subject matter.

Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and objections, in light of the foregoing amendments and following remarks.

Rejection under 35 U.S.C. § 112, first paragraph

Claims 1-5 are again rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. The Office Action maintains that the specification, while being enabling for treating colon cancer, allegedly "does not reasonably provide enablement for a large representative of solid tumor-cancers." Applicant respectfully disagrees with this allegation for the reasons set forth in the previous Reply dated May 10, 2006.

However, as indicated above, in order to expedite prosecution of the present application, Applicant has amended Claim 1 to include colon, breast cancer, or combinations thereof.

Applicant asserts that given the teachings of the present invention regarding significantly superior activity of combination of capecitabine and *N*-[(R)-2,3-dihydroxy-propoxy]-3,4-difluoro-2-(2-fluoro-4-iodo-phenylamino)-benzamide and the fact that capecitabine was approved by the FDA in 1998 for the treatment of breast cancer and in 2005 for the treatment of colorectal cancer, any person skilled in the art is capable to practice the invention of Claim 1.

Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Claim Objection

Claims 2-5 and 16 are objected as depending on a rejected claim.

In light of the foregoing amendment of Claim 1, Applicant respectfully requests that the objection be withdrawn.

Conclusion

Applicant believes all claims are now in condition for allowance. Should there be any issues that have not been addressed to the Examiner's satisfaction, Applicant invites the Examiner to contact the undersigned attorney.

Applicant does not believe any fees are due in connection with this response. If any fees are due in connection with this response, please charge such fees to Deposit Account No. 500329.

Respectfully submitted,

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/Galina M. Yakovleva/
Galina M. Yakovleva, Ph.D.
Attorney For Applicant
Registration No. 47,192

Agouron Pharmaceuticals, Inc./A Pfizer Company
Patent Department
10555 Science Center Drive
San Diego, California 92121
Phone: (858) 622-6095
Fax: (858) 678-8233